

01
02
03
04
05 UNITED STATES DISTRICT COURT
06 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

07 UNITED STATES OF AMERICA,) CASE NO. CR06-220-JLR
08)
08 Plaintiff,)
09)
09 v.)
10) DETENTION ORDER
10 MIGUEL GARCIA-HERNANDEZ,)
11)
11 Defendant.)
12 _____)

13 Offense charged:

14 Conspiracy to Distribute Methamphetamine, Distribution of Methamphetamine (2 counts),
15 Importation of Methamphetamine, Conspiracy to Engage in Money Laundering

16 Date of Detention Hearing: July 6, 2006

17 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and
18 based upon the factual findings and statement of reasons for detention hereafter set forth, finds
19 that no condition or combination of conditions which defendant can meet will reasonably assure
20 the appearance of defendant as required and the safety of other persons and the community.

21 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

22 (1) The drug charges for which defendant has been indicted carry a maximum term in

01 excess of ten years. There is, therefore, a rebuttable presumption against defendant as to both
02 dangerousness and flight risk, under 18 U.S.C. § 3142(e).

03 (2) Defendant was not interviewed by Pretrial Services. He was born in Mexico. The
04 AUSA alleges that Miguel Garcia-Hernandez is not the defendant's true name. The defendant's
05 Social Security number is assigned to a different named person and there is no alien registration
06 number associated with this defendant. There is no additional information available regarding his
07 personal history, residence, family ties, ties to this District, income, financial assets or liabilities,
08 physical/mental health or controlled substance use if any.

09 (3) An immigration detainer has been filed by BICE.

10 (4) Defendant does not contest detention.

11 (5) Taken as a whole, the record does not effectively rebut the presumption that no
12 condition or combination of conditions will reasonably assure the appearance of the defendant as
13 required and the safety of the community.

14 It is therefore ORDERED:

15 (1) Defendant shall be detained pending trial and committed to the custody of the
16 Attorney General for confinement in a correction facility separate, to the extent
17 practicable, from persons awaiting or serving sentences or being held in custody
18 pending appeal;

19 (2) Defendant shall be afforded reasonable opportunity for private consultation with
20 counsel;

21 (3) On order of a court of the United States or on request of an attorney for the
22 Government, the person in charge of the corrections facility in which defendant is

01 confined shall deliver the defendant to a United States Marshal for the purpose of
02 an appearance in connection with a court proceeding; and

- 03 (4) The clerk shall direct copies of this Order to counsel for the United States, to
04 counsel for the defendant, to the United States Marshal, and to the United States
05 Pretrial Services Officer.

06 DATED this 6th day of July, 2006.

07 

08 Mary Alice Theiler
09 United States Magistrate Judge
10
11
12
13
14
15
16
17
18
19
20
21
22